



EXHIBIT C

UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

DREW J. RIBAR,
Plaintiff,

v.

**STATE OF NEVADA ex rel. NEVADA DEPARTMENT OF CORRECTIONS; CARSON
CITY; DEPUTY JASON BUENO, in his individual and official capacity; WARDEN
FERNANDEIS FRAZIER; SGT. ROBERT SMITH; et al.,**
Defendants.

Case No.: 3:24-cv-00103-ART-CLB

Plaintiff: Drew J. Ribar, *pro se*

Address: 3480 Pershing Ln., Washoe Valley, NV 89704

Phone: (775) 223-7899

Email: Const2Audit@gmail.com



EXHIBIT C

PLEADING TITLE - 1

Video Footage – Deputy Jason Bueno Body-Worn Camera

**Filed in Support of Plaintiff's Amended Complaint and Motion for Summary Judgment
Under Fed. R. Civ. P. 56**

SUMMARY JUDGMENT RELEVANCE

Pursuant to **Fed. R. Civ. P. 56(a)**, this exhibit provides **undisputed material evidence** of Defendants' violations of Plaintiff's rights under:

- **U.S. Constitution:** Amendments I, IV, VIII, XIV
- **Nevada Constitution:** Article 1, §§ 1, 6, 8, 9, 18
- **Federal Law:** 42 U.S.C. § 1983; 18 U.S.C. §§ 241–242
- **Nevada Statutes:** NRS 171.1233, 197.200, 199.310, 200.460, 200.310, 200.481, 200.471, 207.190, 205.2715, 205.220

This exhibit complements Exhibits A and B, proving:

1. **Retaliation** for recording in public (*Fordyce v. Seattle*, 55 F.3d 436 (9th Cir. 1995); *Turner v. Driver*, 848 F.3d 678 (5th Cir. 2017))
2. **Unlawful arrest** without probable cause (*Manuel v. City of Joliet*, 137 S. Ct. 911 (2017); *Thompson v. Clark*, 596 U.S. 36 (2022))
3. **Cruel conditions** via heat exposure (*Hope v. Pelzer*, 536 U.S. 730 (2002); *Farmer v. Brennan*, 511 U.S. 825 (1994))
4. **Due process violations** via property seizure (*Mathews v. Eldridge*, 424 U.S. 319 (1976))

5. **Municipal liability** for policy/custom (*Monell v. Dep't of Soc. Servs.*, 436 U.S. 658 (1978))

DESCRIPTION

- **Video Recording:** 37 minutes, 1 second of body-worn camera footage from Deputy Jason Bueno, recorded **August 30, 2022**, at **Northern Nevada Correctional Center (NNCC)**, obtained via discovery in **criminal case No. 22 CR 01231 1C** (*dismissed by order dated [insert date if known]*)
- **Format:** Submitted on USB per **Local Rule IC 2-2**, with **Notice of Manual Filing**

KEY LEGAL VIOLATIONS AND SUPPORTING EVIDENCE

Timestamp	Incident Summary	Legal Relevance
0:01:10	Sgt. Smith: "Notified deputies" for "exercising his First Amendment rights."	First Amendment retaliation (<i>Glik v. Cunniffe</i> , 655 F.3d 78 (1st Cir. 2011); <i>Fields v. City of Philadelphia</i> , 862 F.3d 353 (3d Cir. 2017))
0:01:29	Sgt. Smith: "No 'no trespassing' signs up."	No probable cause (<i>Hiibel v. Sixth Judicial Dist. Ct.</i> , 542 U.S. 177 (2004); NRS 207.200)
0:01:37	Sgt. Smith: "This is a public roadway, which it is."	Public forum; arrest invalid (<i>Reed v. Town of Gilbert</i> , 576 U.S. 155 (2015))

Timestamp	Incident Summary	Legal Relevance
0:02:03	Sgt. Smith: "We want it gone."	Pretextual intent; Monell custom (<i>Whren v. United States</i> , 517 U.S. 806 (1996))
0:03:34–	Bueno arrives; Frazier:	No warning; Fourth Amendment (<i>Terry v. Ohio</i> , 392 U.S. 1 (1968))
0:03:49	"Trespassing... remove him."	
0:04:13	Bueno: "Put your hands behind your back."	Unlawful seizure (<i>Manuel v. City of Joliet</i> , supra; NRS 200.460)
0:05:11	Bueno: "You're being arrested for trespassing."	False arrest (<i>Thompson v. Clark</i> , supra)
0:05:19–	AC hose redirects air; Plaintiff	Eighth Amendment (<i>Hope v. Pelzer</i> , supra;
0:05:37	in back, no seatbelt, dry shirt.	<i>Youngberg v. Romeo</i> , 457 U.S. 307 (1982))
0:06:30	"Tow his truck."	Due process violation (<i>Mathews v. Eldridge</i> , supra; NRS 205.2715)
0:07:14	"Definitely not take photos or whatever."	Retaliation (<i>Turner v. Driver</i> , supra; NRS 171.1233)
0:07:56	AC hose to driver's seat.	Deliberate indifference (<i>Estelle v. Gamble</i> , 429 U.S. 97 (1976))
0:08:13	Frazier: "Advocacy groups."	Viewpoint discrimination (<i>Reed v. Town of Gilbert</i> , supra)
0:10:21–	Window closed, cutting	
0:10:28	airflow.	Cruel conditions (<i>Farmer v. Brennan</i> , supra)

Timestamp	Incident Summary	Legal Relevance
0:13:12–	Bueno/Frazier: Audit intent, no Retaliation	(<i>Irizarry v. Yehia</i> , 38 F.4th 1282 (10th Cir. 2022))
0:13:23	paperwork.	
0:15:43	Frazier: "Unauthorized videos."	Mischaracterization (<i>Fields v. City of Philadelphia</i> , <i>supra</i>)
0:24:55–	Bueno cools himself with AC	Eighth Amendment (<i>Wilson v. Seiter</i> , 501 U.S. 294 (1991))
0:32:36	hose.	
0:33:34	Plaintiff exits, sweating profusely, shirt soaked.	Visual proof of distress (<i>Youngberg v. Romeo</i> , <i>supra</i>)
0:34:45	Bueno: "Got a little sweaty back there."	Admission of conditions (<i>Farmer v. Brennan</i> , <i>supra</i>)
0:34:51	Plaintiff: "Trying to hot box me."	Eighth Amendment (<i>Hope v. Pelzer</i> , <i>supra</i>)
0:35:23	Plaintiff cites <i>Irizarry v. Yehia</i> .	Legal awareness strengthens claim
0:36:02	Plaintiff: "Nobody asked me to identify."	Negates obstruction (<i>Hiibel v. Sixth Judicial Dist. Ct.</i> , <i>supra</i>)
0:37:01	Bueno: "Get you all dried up..."	Acknowledgment of distress (<i>Estelle v. Gamble</i> , <i>supra</i>)

Footnote: All timestamps are included for completeness; **bolded entries** (0:33:34, 0:34:45) are pivotal visual and verbal admissions. See *Youngberg v. Romeo*, 457 U.S. 307 (1982) (conditions of confinement must not impose undue hardship).

LEGAL CLAIMS SUPPORTED

1. **First Amendment Retaliation:** Arrest for recording (*Fordyce, Glik, Turner, Fields, Irizarry*; NRS 171.1233)
2. **Fourth Amendment False Arrest:** No probable cause (*Manuel, Thompson, Hiibel*; NRS 200.460, 200.310)
3. **Eighth Amendment Cruel Conditions:** Heat exposure (*Hope, Farmer, Youngberg, Estelle*; NRS 200.481, 200.471)
4. **Fourteenth Amendment Due Process:** Truck towed (*Mathews, Lugar v. Edmondson Oil Co.*, 457 U.S. 922 (1982); NRS 205.2715, 205.220)
5. **State Torts:** False imprisonment, coercion, malicious prosecution (*Iqbal v. Ashcroft*, 556 U.S. 662 (2009); NRS 197.200, 207.190, 199.310)

QUALIFIED IMMUNITY ANALYSIS

Defendants' actions violate **clearly established law in the Ninth Circuit:**

- **Recording:** *Fordyce* (1995), *Glik* (2011), *Turner* (2017), *Fields* (2017), *Irizarry* (2022)
- **False Arrest:** *Hiibel* (2004), *Manuel* (2017), *Thompson* (2022)
- **Conditions:** *Hope* (2002), *Farmer* (1994), *Estelle* (1976)

Officers' statements (e.g., "*no signs*", "*sweaty back there*") show **knowledge of illegality**, defeating qualified immunity (*Harlow v. Fitzgerald*, 457 U.S. 800 (1982)).

AUTHENTICATION

Under **Fed. R. Evid. 901, 1002**, and **28 U.S.C. § 1746, 1**, **Drew J. Ribar**, declare under penalty of perjury that this video from **Deputy Jason Bueno's body camera**, obtained via discovery (*Case No. 22 CR 01231 1C*), **accurately depicts events on August 30, 2022**, at NNCC.

DATED: March 27, 2025

/s/ Drew J. Ribar

Drew J. Ribar, Pro Se

3480 Pershing Ln., Washoe Valley, NV 89704

(775) 223-7899 | Const2Audit@gmail.com